

BEST AVAILABLE COPY



COPY

MS AF  
RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2855

PATENT  
2927-0113P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Noritoshi NAKAGAWA et al. Conf.: 8419  
Appl. No.: 09/607,324 Group: 2855  
Filed: June 30, 2000 Examiner: ALLEN, Andre  
For: VISCOELASTIC CHARACTERISTIC VALUE-  
MEASURING APPARATUS AND METHOD OF  
MEASURING VISCOELASTIC CHARACTERISTIC  
VALUE

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 29, 2003

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated January 29, 2003 of the Primary Examiner finally rejecting claims 1-24.

☐ This document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☒ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$930.00 is required for the full period of the above-requested extension of time.

☐ An extension of ( ) month(s) for responding to the Final Rejection was previously requested and paid for on

**BEST AVAILABLE COPY**

Appl. No. 09/607,324

Thus a fee of \$0.00 is required to obtain an additional ( ) month(s) for filing the Notice of Appeal.

☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☒ Large entity - \$320.00

☐ Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,250.00.

Payment of the above TOTAL FEE is being made in the following manner:

☒ Check(s) in the amount of \$930.00 and \$320.00 is/are enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By *R. Stewart* (Reg. No. 27,066)  
for Andrew D. Meikle, #32,868

*AK*  
ADM/KJR/crt  
2927-0113P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

(Rev. 04/30/03)